

Attachment 3

STATE OF FLORIDA

Plaintiff

-VS-

Hal S. McClamma

Defendant

SPN 134222

IN THE SECOND JUDICIAL
CIRCUIT COURT, IN AND FOR
LEON COUNTYCASE NUMBER R2000-2790 A
DC# N10154

ORDER OF PROBATION/COMMUNITY CONTROL/DRUG OFFENDER PROBATION

This case coming before the Court to be heard, and you, the defendant, Hal S. McClamma
being now present before the court, and having

☒ entered a plea of guilty to
☒ entered a plea of nolo contendere to

_____ been found guilty by jury verdict to

_____ been found guilty by the court trying the case without a jury of

Count 1: Grand Theft (over \$20,000.00,
less than \$100,000.00) (LIO)

Count _____

Count _____

Count _____

Count _____

and the Court having

☒ Adjudicated the defendant Guilty

_____ Withheld Adjudication of Guilt

IT IS ORDERED AND ADJUDGED that, the imposition of an incarcerative sentenced is withheld and you are placed under the supervision of the Department of Corrections and its officer, such supervision to be subject to the provisions of the laws of this State. The defendant shall be placed on

_____ Community Control for a period of _____ (_____ years / _____ months);

☒ Probation for a period of twelve (12 years / 0 months);

_____ Drug Offender probation for a period of _____ (_____ years / _____ months);

☒ to run consecutively with three (3) years prison

Entire sentence is to run consecutive to the Federal sentence the defendant is currently serving

IT IS FURTHER ORDERED AND ADJUDGED THAT, you shall comply with the following conditions:

- (1) Not later than the fifth day of each month, unless otherwise directed, you will make a full and truthful report to your officer on the form provided for that purpose.
- (2) You will pay directly to the State of Florida/Department of Corrections \$0 per month toward the cost of your supervision until all statutorily mandated costs and fines imposed are paid in full, at which time you shall pay the amount of \$50.00 per month supervision and 4% per month surcharge, unless otherwise waived in compliance with Florida Statutes.
- (3) You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
- (4) You will not possess, carry or own any firearm without first procuring the consent of your officer and authorization of the court.

Please review with inmate, sign & return to me.

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- (5) You will live without violating the law. A conviction in a court of law shall not be necessary for such a violation to constitute a violation of your probation/community control.
- (6) You will not associate with any person engaged in any criminal activity.
- (7) You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician. Nor will you visit placed where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
- (8) You will work diligently at a lawful occupation, advise your employer of your probation status and support any dependents to the best of your ability, as directed by your officer.
- (9) You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
- (10) You will submit to random testing as directed by the Correctional Probation Officer or the professional staff of the treatment center where he/she is receiving treatment to determine the presence of alcohol or illegal drugs.
- (11) Other: (a) Defendant is not to act as a trustee on behalf of any person

SPECIAL CONDITIONS

- ____ (1) You will be confined to the County Jail for a term of _____ with credit for _____ jail time as a special condition of probation/community control. You will report in person within 24 hours of your release from confinement, but not custody, to the probation office in _____ County, Florida, unless otherwise instructed by the officer.
- XX** (2) You will make restitution in the amount(s) set by the court which obligation(s) shall continue until paid in full, to:

	NAME	AMOUNT
1.	<u>Martha Carol Beckham</u>	<u>Scourt reserved jurisdiction to enter amount</u>
2.	_____	<u>\$</u> _____
3.	_____	<u>\$</u> _____

- ____ (3) After service of one-half of the period of any probation, and upon payment in full of all statutorily mandated costs and fines imposed and completion of any special conditions of probation, you may be placed by the supervising department or agency in administrative or court probation status if approved by the court. All conditions of probation, except condition (1) and (2), are to remain applicable. To attain such status you shall pay to the supervising department or agency a one-time nonrecurring processing fee of \$50.00 and continue to comply with all conditions except conditions (1) and (2) or be subject to revocation of probation.
- ____ (4) You must undergo a (drug), (alcohol), (mental health), (psycho-sexual) evaluation and, if treatment is deemed necessary, you must successfully complete the treatment, and be responsible for the payment of any costs incurred while receiving said treatment, unless waived.
- ____ (5) You will submit to urinalysis, breathalyzer or blood test at any time requested by your officer, or the professional staff of any treatment program where you are receiving treatment, to determine possible use of alcohol, drugs or controlled substances. You shall be required to pay for such tests unless payment is waived by your officer or the Court.
- ____ (6) You shall abstain entirely from the use of alcohol and/or illegal drugs, and you shall not associate with anyone who is illegally using drugs or consuming alcohol.
- ____ (7) You shall not visit any establishment where the primary business is the sale and dispensing of alcoholic beverages.
- ____ (8) You shall maintain full time employment or attend school full time or a combination of school/work during the term of your supervision.
- ____ (9) You shall successfully complete course work required to obtain your GED Diploma during the term of your supervision.
- ____ (10) You will not associate with _____ during the period of supervision.
- XX** (11) You will have no contact whatsoever with victim Martha Carol Beckham during the period of supervision.

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(12) You shall enter the Department of Corrections Non-Secure Drug Treatment Program or other residential treatment program/Probation and Restitution Center for a period of _____ as approved by your officer. You are to remain until you successfully complete said Program and you are to comply with all Rules and Regulations of the Program. You (shall) (shall not) be confined in the county jail until placement in said program, and if you are confined the Sheriff shall transport you to said program.

(13) All remaining monies imposed originally remain in effect. _____

(14) You will successfully complete the Probation & Restitution Program, abiding by all rules and regulations. While there you will received and participate in alcohol counseling. Probation will terminate after all conditions are satisfied.

AND, IF PLACED ON DRUG OFFENDER PROBATION, YOU WILL COMPLY WITH THESE ADDITIONAL CONDITIONS

(15) You will participate in a specialized drug treatment program, either as an in-patient or out patient, as directed by your Probation Officer. You will attend all counseling sessions, submit to random urinalysis and, if an in-patient, you will comply with all operating rules, regulations and procedures of the treatment facility.

(16) You will remain confined to your residence between the hours of 7:00 p.m. and 7:00 a.m.; however, your Probation Officer has the authority to impose a curfew consisting of different hours should your circumstances (night job, night school, ect.) indicate that a different curfew schedule is warranted.

(17) You will not travel outside the county of residence except for emergencies involving your immediate family and for work purposes. All such travel must be approved by your Probation Officer.

(18) You shall participate in self-improvement programs (vocational, education, psychological) if so directed by your Probation Officer.

AND, IF PLACED ON COMMUNITY CONTROL, YOU SHALL COMPLY WITH THESE ADDITIONAL CONDITIONS

(19) You will report to your officer at least four times a week, or, if unemployed full time, daily, unless you have written consent otherwise.

(20) You will remain confined to your approved residence except for one half hour before and after your approved employment, public service work, or any other special activities approved by your officer.

(21) You will maintain an hourly accounting of all your activities on a daily log which you will submit to your officer on request.

(22) You will participate in self-improvement programs as determined by the court or your officer.

(23) You will submit to electronic monitoring of your whereabouts as required by your officer.

(24) You will submit to random testing as directed by the Correctional Probation Officer or the professional staff of treatment center where he/she is receiving to determine the presence of alcohol or illegal drugs.

(25) You will perform _____ hours of community service work as directed by your officer.

(26) You will attend HIV/AIDS Awareness Program consisting of a class of not less than two (2) hours or more than four (4) hours in length, the cost for which shall be paid by the offender.

(27) Other: _____

FINES/COSTS

IT IS THE FURTHER JUDGEMENT AND ORDER OF THE COURT THAT DEFENDANT SHALL PAY THE FOLLOWING:

1. _____ \$ _____ fine pursuant to Section 775.083, Florida Statutes.
2. _____ \$ _____ as the 5% surcharge required by Section 938.04, Florida Statutes.
3. Row \$50.00 pursuant to Section 938.03, Florida Statutes (Crimes Compensation Trust Fund).
4. Row \$200.00 pursuant to Section 938.05, Florida Statutes (Local Government Criminal Justice Trust Fund).
5. Row \$3.00 as a court cost pursuant to section 938.01(1), Florida Statutes (Criminal Justice Trust Fund).
6. _____ \$3.00 as a court cost pursuant to section 938.17, Florida Statutes (Juvenile Justice Assessment).
7. _____ \$3.00 as a court cost pursuant to section 938.15, Florida Statutes (County Criminal Justice Education).
8. _____ \$3.00 as a court cost pursuant to section 938.15, Florida Statutes (City Criminal Justice Education).
9. _____ \$3.00 as a court cost pursuant to section 938.19, Florida Statutes (Teen Court).
10. _____ \$3.00 as a court cost pursuant to section 938.06, Florida Statutes (Crime Stoppers).

TOTAL ON NEXT PAGE

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\$ _____ Total Statutorily Mandated Costs and Fines [Which shall be first satisfied from ~~assets paid and for which let~~
~~execution issue~~] PARTIAL PAYMENT PLAN: PAYMENT IS NOT A CONDITION OF SUPERVISION.

AND DEFENDANT IS ALSO FURTHER ORDERED TO PAY THE FOLLOWING, IF CHECKED:

- _____ A fine in the sum of \$ _____ pursuant to section 775.0835(1), Florida Statutes. (Optional fine for the Crimes Compensation Trust Fund).
- _____ \$20.00 pursuant to section 939.015, Florida Statutes (Handicapped and Elderly Security Assistance Trust Fund).
- _____ A 10% surcharge in the sum of \$ _____ pursuant to Section 775.0836, Florida Statutes (Handicapped and Elderly Security Assistance Trust Fund).
- _____ A sum of \$ _____ pursuant to Section 939.01, Florida Statutes (Prosecution/Investigation Costs).
- _____ A sum of \$ _____ pursuant to Section 27.56, Florida Statutes (Public Defender Fees).
- _____ Application Fee (up to \$40.00) \$ _____ Section 27.52(2), Florida Statutes (Indigent Criminal Defense Trust Fund).
- _____ Court Costs/Fines Waived.
- _____ Court Costs/Fines reduced to Civil Judgment if defendant is sentenced to DOC incarceration.
- _____ Other: _____

\$ _____ Total Discretionary Costs, Fees and Fines

() If checked, discretionary items are reduced to judgment for which let execution issue.

IT IS FURTHER ORDERED that, [if defendant has not been sentenced to incarceration in the Department of Corrections].

A. Defendant shall pay directly to the Clerk of this court the statutorily mandated costs and fines specified above within thirty (30) days from the date thereof; or:

B. Defendant may elect to pay such statutorily mandated items directly to the Clerk in 12 equal monthly installments of \$ _____ each and every month without fail, beginning on the 10th day of each month that immediately follows the month in which this judgment, sentence, order is entered and on or before the 10th day of each month thereafter until paid in full; provided however, if defendant serves any county jail tie such payment shall begin the first Friday of the first week in the month that immediately follows the month in which the defendant is released; and,

C. Defendant may elect to pay such statutorily mandated items directly to the Clerk in 52 equal monthly installments of \$ _____ each and every month without fail, beginning on the first Friday of the first week that immediately follows the month in which this judgment, sentence, order is entered and on or before the Friday thereafter until paid in full; provided however, if defendant serves any county jail tie such payment shall begin the first Friday of the first week in the month that immediately follows the month in which the defendant is released; and,

IT IS FURTHER ORDERED AND NOTICE IS HEREBY GIVEN THAT further required court appearances and hearings are set forth in the Notice of Statutorily Mandated Costs and Fines handed to you in court which dates are incorporated herein and made a part of this judgment and order.

AT SUCH FURTHER COURT APPEARANCES AND HEARINGS, the defendant shall appear in person to review defendant's payment record of statutorily mandated costs and fines imposed and shall show legal cause. [in the event the defendant has not paid or is not completely and fully current with his/her payments], why defendant should not be adjudged guilty of civil contempt for failing to obey this judgment and order requiring full and regular payment and then be committed to jail with purge or fined in accordance with the law.

NO FURTHER NOTICE OF THESE HEARINGS WILL BE MAILED, SERVED OR GIVEN TO YOU

IF YOU HAVE PAID IN FULL OR ARE CURRENT IN YOUR PAYMENT BY TWELVE O'CLOCK NOON ON THE DAY BEFORE EACH HEARING YOU DO NOT HAVE TO APPEAR - IF YOU ARE NOT CURRENT OR PAID IN FULL, YOU MUST APPEAR IN COURT ON EACH OF THE SCHEDULED DATES AND IF YOU FAIL TO APPEAR ON SUCH DATE(S), A WRIT WILL IMMEDIATELY ISSUE FOR YOUR DELIVERY TO JAIL FOR WHICH YOU SHALL BE BROUGHT BY THE SHERIFF TO DULY APPEAR IN COURT AS MAY BE ORDERED.

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THESE FURTHER COURT HEARING AND YOUR APPEARANCE ARE REQUIRED WHETHER OR NOT YOU HAVE BEEN PLACED ON PROBATION AND ARE REQUIRED AFTER YOUR PROBATION HAS EXPIRED UNTIL PAYMENT IS MADE IN FULL.

ALL FINES/COST PAYMENTS MUST BE MADE IN MONEY ORDER PAYABLE TO: CLERK OF COURT, LEON COUNTY COURTHOUSE, TALLAHASSEE, FLORIDA 32302.

You have 30 days to appeal and if indigent the court will appoint an attorney for you. You are also hereby placed on notice that the court may at any time rescind or modify any other conditions of your supervision, or may extend the period of supervision as authorized by law, or any discharge you from further supervision. If you violate any of the conditions of your supervision, you may be arrested and the court may revoke your supervision, adjudicate your guilty, if adjudication of guilt was withheld, impose any sentence which it might have imposed before placing you on supervision or require you to serve the balance of said sentence.

IT IS FURTHER ORDERED that, if your are in custody, when you have been released from confinement and have reported to the probation office within 24 hours and been instructed as to the conditions of probation/community control, you shall be released from custody and placed on supervision and if your are at liberty on bond, the sureties thereon shall thereafter stand discharged from liability.

IT IS FURTHER ORDERED that the Clerk of this court file this order in the clerk's office and provide certified copies of same to the appropriate officer for use in compliance with the requirements of law.

DONE AND ORDERED, this 2ND day of October, 2002.

NUNC PRO TUNC
9/20/02

Richard C. Watson
Circuit Judge

I acknowledge receipt of a copy of this order and that the conditions have been explained to me.

Date: 07 APR 04

[Signature]
Defendant

Instructed by: [Signature]
Supervising Officer

A Certified Copy
Attest

Bob Inzer

Clerk of Circuit Court
Leon County, Florida

By [Signature]
D.C.